

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION

CHARLES EDWARD HALL, JR.

PLAINTIFF

V.

CIVIL ACTION NO.2:05CV124-WAP-JAD

TATE COUNTY LAW ENFORCEMENT CENTER, ET AL

DEFENDANTS

REPORT AND RECOMMENDATION

The defendant, Tate County, has moved to dismiss the defendants James Bobo and Betty Jackson. (Doc. 58) Neither defendant has ever been served and Bobo is now deceased. Because the plaintiff has not filed any response in opposition to the motion, it is recommended that these defendants be dismissed from this action.

The parties are referred to 28 U.S.C. 636(b)(1) and Local Rule 72.2(D) for the appropriate procedure in the event any party desires to file objections to these findings and recommendations. Objections are required to be in writing and must be filed within ten days of this date. Failure to file written objections to the proposed finding and recommendations contained in this report within ten days from the date of filing will bar an aggrieved party from challenging on appeal both the proposed factual findings and the proposed legal conclusions accepted by the district court *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

Plaintiff is directed to acknowledge receipt of this report and recommendation by signing the enclosed acknowledgment form and returning it to the court within ten days of this date. Plaintiff is warned that failure to comply with the requirements of this paragraph may lead to the dismissal of this lawsuit under F.R.Civ.P. 41(b) for failure to prosecute and for failure to comply with an order of the court.

This the 22<sup>nd</sup> day of September, 2006.

/s/ JERRY A. DAVIS  
UNITED STATES MAGISTRATE JUDGE